

ORIGINAL

COMMISSIONERS
MIKE GLEASON - Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
KRISTIN K. MAYES
GARY PIERCE



ARIZONA CORPORATION COMMISSION

November 8, 2007

Arizona Corporation Commission
DOCKETED

NOV 08 2007

CERTIFIED MAIL

Kim Swartz, ACP
Contractor
Tower Cloud, Inc.
9501 International Court N.
St. Petersburg, Florida 33716



RE: Staff's Letter of Insufficiency and First Set of Data Requests to Tower Cloud, Inc.
(Docket No. T-20563A-07-0627)

Dear Ms. Swartz,

I have been assigned to complete the review of the Certificate of Convenience and Necessity ("CC&N") application filed by Tower Cloud, Inc. ("TCI"), Docket No. T-20563A-07-0627. This data request lists the information Staff needs to complete its analysis of the application. To complete my staff report in this matter, I would appreciate your assistance as soon as possible.

Please provide Docket Control with the information being requested within 60 days of the date of this letter. Mail an original plus 13 copies to Docket Control, Arizona Corporation Commission, 1200 W. Washington Street, Phoenix, AZ 85007-2927. If no response is received or all deficiencies are not remedied within 60 days, Staff will recommend that the application be terminated as per Rule R14-2-1103(B)3 and R14-2-510(E)3. If the application is terminated, the Applicant cannot provide the same telecommunications services in Arizona for which it is currently applying, until such time as a new application is filed with and approved by the Commission.

If you have any questions, please contact me via phone at (602) 542-0742 or via email at afimbres@azcc.gov. Thank you for your prompt response to this request.

Respectfully,

Armando Fimbres
Public Analyst
Utilities Division

AFF:tdp

Enclosure(s)

CC: Docket Control Center (Original and Thirteen Copies)

RECEIVED
2007 NOV - 8 P 4: 01
AZ CORP COMMISSION
DOCKET CONTROL

**ARIZONA CORPORATION COMMISSION
STAFF'S FIRST SET OF DATA REQUESTS TO
TOWER CLOUD, INC. ("TCI")
Docket T-20563A-07-0627**

Please make sure each numbered item and each part of the item is answered completely. In order for Staff to continue with its review of this application, the following information must be submitted:

- STF 1.1 Please provide a searchable pdf copy of the tariff in Attachment B via email to Armando Fimbres at afimbres@azcc.gov.
- STF 1.2 Please provide Attachment D in excel file format via email to Armando Fimbres at afimbres@azcc.gov.
- STF 1.3 Please provide Attachment B-4 in excel file format via email to Armando Fimbres at afimbres@azcc.gov.
- STF 1.4 Please provide the information requested in (A-8.3) of the CC&N application.
- STF 1.5 Please confirm or correct that TCI's deposit and prepayment policy is stated in tariff section 2.4.
- STF 1.6 Does TCI understand that rates in the Attachment A tariff will be considered Maximum Rates?
- STF 1.7 Briefly discuss how TCI's rates compare to those of key competitors.
- STF 1.8 Please clarify the meaning of tariff section 2.4.3 - "The deposit or prepayment will not exceed an amount equal to two and one-half months' estimated charges for such services." For example, under what conditions might TCI ask for a deposit or prepayment amount less than two and one-half months' estimated charges?
- STF 1.9 Tariff section 2.4.7 is similar to 2.4.3. Please clarify 2.4.7 in a similar manner as 2.4.3, above.
- STF 1.10 Please explain why tariff section 2.10.4 does not explicitly refer to the returned check charge of \$25 in tariff section 4.1.6.
- STF 1.11 If tariff section 2.10.4 should not be interpreted to refer to the \$25 charge in tariff section 4.1.6, please clarify the "non-recurring charge" referenced in section 2.10.4.
- STF 1.12 Has TCI been denied authority to offer telecommunications services in any state jurisdictions? If yes, please provide the names of such states.
- STF 1.13 Please (1) explain when TCI began providing telecommunication services in Florida, North Carolina and Oregon and (2) discuss TCI's customer complaint history in those states.